

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

JACKSON CURTIS MARTIN, III

AMANDA NICHELLE DOWNS

a/k/a Amanda Martin

Magistrate No. 20-46MJ

AFFIDAVIT FOR CRIMINAL COMPLAINT

I, Robert E. Connelly, II, a Special Agent (SA) with Homeland Security Investigations, being duly sworn, depose and state as follows:

INTRODUCTION

1. This Affidavit is submitted in support of a criminal complaint charging JACKSON CURTIS MARTIN, III and AMANDA NICHELLE DOWNS a/k/a Amanda Martin, with one count of Production and Attempted Production of a Visual Depiction of a Minor Engaged in Sexually Explicit Conduct, in violation of 18 U.S.C. §§ 2251(a) and (e), and one count of Distribution of a Visual Depiction of a Minor Engaged in Sexually Explicit Conduct, in violation of 18 U.S.C. § 2252(a)(2) (collectively referred to as the "TARGET OFFENSES").

2. I am a Special Agent with the Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI), assigned to the Pittsburgh, Pennsylvania Office. I have been so employed since November 2001. As part of my duties, I investigate criminal violations relating to high technology crime, cyber-crime, child exploitation and child pornography including violations pertaining to the illegal distribution,

receipt, possession, and production of materials depicting the sexual exploitation of children in violation of Title 18, United States Code, Sections 2251, 2252(a)(1), 2252(a)(2), and 2252(a)(4)(B). I have received training in conducting child pornography and child exploitation investigations, have personally conducted such investigations, executed search warrants that relate to such investigations, and observed and reviewed sexually exploitive materials depicting minors in a variety of electronic media.

3. Your Affiant is aware that Title 18, United States Code, Sections 2251(a) and (e), make it a crime to induce, entice, or coerce a minor to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct or to attempt to do so.

4. The facts set forth in this Affidavit are based on my personal knowledge, knowledge obtained during my participation in this investigation, knowledge obtained from other individuals, including other law enforcement personnel and computer forensic examiners, review of documents and records related to this investigation, communications with others who have personal knowledge of the events and circumstances described herein, and information gained through my training and experience.

5. Because this Affidavit is being submitted for the purpose of securing criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause that JACKSON CURTIS MARTIN, III and AMANDA NICHELLE DOWNS a/k/a Amanda Martin committed the TARGET OFFENSES.

DEFINITIONS

6. The following definitions apply to this Affidavit:

a. "Minor," as defined in 18 U.S.C. § 2256(1), means any person under the age of 18 years.

b. “Child Pornography,” as used herein, includes the definition in 18 U.S.C. § 2256(8) (any visual depiction of sexually explicit conduct where (a) the production of the visual depiction involved the use of a minor engaged in sexually explicit conduct; (b) the visual depiction is a digital image, computer image, or computer-generated image that is, or is indistinguishable from, that of a minor engaged in sexually explicit conduct; or (c) the visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaged in sexually explicit conduct), as well as any visual depiction, the production of which involves the use of a minor engaged in “sexually explicit conduct,” as that term is defined in 18 U.S.C. § 2256(2).

c. “Visual depictions” include undeveloped film and videotape, data stored on computer disk or by electronic means, which is capable of conversion into a visual image, and data which is capable of conversion into a visual image that has been transmitted by any means, whether or not stored in a permanent format. See 18 U.S.C. § 2256(5).

d. “Sexually explicit conduct” means actual or simulated (a) sexual intercourse, including genital-genital, oral-genital, or oral-anal, whether between persons of the same or opposite sex; (b) bestiality; (c) masturbation; (d) sadistic or masochistic abuse; or (e) lascivious exhibition of the anus, genitals, or pubic area of any persons. See 18 U.S.C. § 2256(2).

e. “Internet Service Providers” or “ISPs” are commercial organizations that provide individuals and businesses access to the Internet. ISPs provide a range of functions for their customers, including access to the Internet, web hosting, e-mail, remote storage, and co-location of computers and other communications equipment. ISPs can offer various means by which to access the Internet including telephone based dial-up, broadband based access via a digital subscriber line (DSL) or cable television, dedicated circuits, or satellite based subscription. ISPs typically charge a fee based upon the type of connection and volume of data, called bandwidth

that the connection supports. Many ISPs assign each subscriber an account name such as a user name or screen name, an e-mail address, and an e-mail mailbox, and the subscriber typically creates a password for the account. By using a computer equipped with a telephone or cable modem, the subscriber can establish communication with an ISP over a telephone line or through a cable system, and can access the Internet by using his or her account name and password.

f. “IP Address,” meaning, the Internet Protocol address (or simply “IP address”) is a unique numeric address used by computers on the Internet. An IP address looks like a series of four numbers, each in the range 0-255, separated by periods (e.g., 121.56.97.178). Every computer attached to the Internet must be assigned an IP address so that Internet traffic sent from and directed to that computer may be directed properly from its source to its destination. Most Internet service providers control a range of IP addresses. Some computers have static—that is, long-term—IP addresses, while other computers have dynamic—that is, frequently changed—IP addresses.

g. “Internet,” a global network of computers and other electronic devices that communicate with each other. Due to the structure of the Internet, connections between devices on the Internet often cross state and international borders, even when the devices communicating with each other are in the same state.

PROBABLE CAUSE

7. On or about February 6, 2020, HSI Special Agent Jason Adams (SA Adams) received information regarding the Clearfield Borough, Pennsylvania Police Department (Clearfield PD) investigation of JACKSON CURTIS MARTIN, III with date of birth [REDACTED] [REDACTED] and AMANDA NICHELLE DOWNS, a/k/a Amanda Martin with date of birth [REDACTED] [REDACTED], in relation to production of child pornography involving a known minor. The information

received consisted of police reports and criminal complaints that document an investigation by Clearfield PD that was initiated in approximately January of 2019. At that time, Clearfield PD received National Center for Missing and Exploited Children (NCMEC¹) Cyber Tipline Report (CTR) numbers 43339595 and 43339596, which reported that an image depicting a minor engaged in sexually explicit conduct had been distributed via the electronic service provider (ESP) and social network internet website, Facebook.

8. Upon receipt of the NCMEC CTRs on January 8, 2019, Clearfield PD executed a state search warrant at the residence of JACKSON CURTIS MARTIN, III and AMANDA NICHELLE DOWNS, a/k/a Amanda Martin, located at 506 Zimmerman Avenue, Apartment 7, Clearfield, PA. JACKSON CURTIS MARTIN, III was present during the search of the residence and investigators seized approximately twenty-three (23) items that primarily consisted of electronic devices capable of electronic data storage.

9. Clearfield PD investigators reported to SA Adams that on January 9, 2019, AMANDA NICHELLE DOWNS, a/k/a Amanda Martin, participated in a consensual and non-custodial interview at the Clearfield PD. During this interview, AMANDA NICHELLE DOWNS, a/k/a Amanda Martin, provided written consent to Clearfield PD to search her LG mobile telephone (Serial Number 807VTPA0612664) and Samsung tablet computer (Serial Number R52K8093D5V). The same day, AMANDA NICHELLE DOWNS, a/k/a Amanda Martin retrieved both items from her residence at 506 Zimmerman Avenue, Apartment 7, in Clearfield and provided them to Clearfield PD.

¹ NCMEC is a nonprofit organization that helps to find missing children, reduce child sexual exploitation, and prevent future victimization. As part of its work on issues relating to reducing online child exploitation, NCMEC operates a CyberTipline, a mechanism by which the public and electronic service providers can make reports of suspected online child exploitation. NCMEC makes information submitted to the CyberTipline available to law enforcement for possible investigation.

10. SA Adams knows that certain electronic devices seized and/or surrendered with consent from JACKSON CURTIS MARTIN, III and AMANDA NICHELLE DOWNS, a/k/a Amanda Martin, were sent to the Pennsylvania State Police (PSP), Criminal Investigation Crime Unit for forensic examination. In November of 2019, the Clearfield PD received reports and electronic data related to this forensic examination. SA Adams has reviewed the PSP report related to the forensic examination. Upon review, Clearfield PD ascertained that at least three (3) of these electronic devices contained multiple images and/or videos depicting minors engaged in sexually explicit conduct. Clearfield PD also ascertained that certain images and/or videos depict a prepubescent minor female [REDACTED] JACKSON CURTIS MARTIN, III and AMANDA NICHELLE DOWNS, a/k/a Amanda Martin that is nude and engaged in sexually explicit conduct with them.

11. Clearfield PD investigators reported to SA Adams that on November 24, 2019, JACKSON CURTIS MARTIN, III and AMANDA NICHELLE DOWNS, a/k/a Amanda Martin, were arrested pursuant to state arrest warrants for Rape of a Child, Statutory Sexual Assault, Aggravated Indecent Assault of a Child and charges related to Production, Distribution, and Possession of images and/or videos depicting minors engaged in sexually explicit conduct.

12. SA Adams was informed by Clearfield PD that during the arrest of JACKSON CURTIS MARTIN, III on November 24, 2019, Clearfield PD investigators discovered and seized his LG mobile telephone (Serial Number 812VTVR0708727) that was in his possession. Clearfield PD has also informed your affiant that a state search warrant was subsequently obtained for this mobile telephone.

13. SA Adams was informed by Clearfield PD that during the arrest of AMANDA NICHELLE DOWNS, a/k/a Amanda Martin, on November 24, 2019, Clearfield PD investigators

discovered and seized Samsung mobile telephone (Serial Number R28M11PA7QL) that was in her possession. Clearfield PD also received written consent from AMANDA NICHELLE DOWNS, a/k/a Amanda Martin to search her residence of 506 Zimmerman Ave., Apt 7, Clearfield, PA 16830, for additional electronic devices. As a result, Clearfield PD took possession of a ZTE mobile telephone (Serial Number 325776190DE5), an LG mobile telephone (Serial Number 711CQGW0054911), a HP Laptop Computer (Serial Number CND8480NT0), and a PlayStation 4 Game Console (Serial Number MD915059339).

14. On or about February 21, 2020, SA Adams requested and received copies of NCMEC CTRs 43339595 and 43339596 from NCMEC in relation to the reports made by Facebook. SA Adams has reviewed the CTRs and associated images and observed that each contains at least one (1) image depicting a minor engaged in sexually explicit conduct. SA Adams summarizes these reports and describes the images as follows:

- a. NCMEC CTR 43339595 with Incident Date/Time 11/18/2018 12:29:48 UTC. ESP Facebook reported "Jackson Martin" with username "jackson.martin.507679" and e-mail address jacksonmartin37@gmail.com had uploaded two (2) images, one (1) of which depicts a prepubescent minor engaged in sexually explicit conduct. The recipient of the reported content was Shelly Ricketts with username "shelly.ricketts.98". The first image with file name ending in 5124_n.jpg depicts a prepubescent minor female, nude except for black stockings, estimated to be 8-10 years of age, lying on her back, with legs spread to the sides, and her breasts and vagina predominately displayed. The minor's legs are bound with a yellow rope. The second image with file

name ending in 8189_n.jpg depicts an adult male from head to chest with his face displayed to the camera.

- b. NCMEC CTR 43339596 with Incident Date/Time 11/18/2018 12:29:17 UTC. ESP Facebook reported "Amanda Downs" with username "mandynichelle" had uploaded two (2) images, one (1) of which depicts a prepubescent minor engaged in sexually explicit conduct. The recipient of the reported content was "Jackson Martin" with username "Jackson.martin.507679". The first image with file name ending in 6432_n.jpg depicts a prepubescent minor female, nude except for black stockings, estimated to be 8-10 years of age, lying on her back, with legs spread to the sides, and her breasts and vagina predominately displayed. The minor's legs are bound with a yellow rope. The second image with file name ending in 7392_n.jpg depicts a minor female's head lying on the chest of a suspected adult female with the word "love" displayed in pink text across the lower third of the image.

15. Clearfield PD investigators reported to SA Adams that on or about November 21, 2019, Clearfield PD received NCMEC CTR numbers 58376706 and 58382224 in relation to reports made by the ESP and social network internet website, Tumblr, Inc. On or about February 21, 2020, SA Adams requested and received copies of NCMEC CTRs 58376706 and 58382224 from NCMEC. SA Adams has reviewed the CTRs and associated image and observed it depicts a minor engaged in sexually explicit conduct with an adult male and a suspected adult female. SA Adams summarizes these reports and describes the image as follows:

- a. NCMEC CTR 58376706 with Incident Date/Time 10-30-2019 14:46:00 UTC. ESP Tumblr, Inc. reported a user with username [REDACTED] and

e-mail address "Jacksonmartin37@gmail.com" had sent one (1) image depicting a prepubescent minor engaged in sexually explicit conduct during a messaging conversation with another user on or about August 31, 2019 and September 1, 2019. The image with file name ending in n_1280.jpg depicts a nude prepubescent minor female visible from chest to feet with red toenails, estimated to be 3-5 years of age, seated on or near the lower torso of an adult male who appears to be lying on his back with his penis exposed. In close proximity to the minor female and adult male is a suspected adult female with light-colored hair, wearing a gray shirt, lying on her chest. The suspected adult female is holding a black mobile telephone in her left hand and her face is directed toward the minor female's nude body. The minor female's vagina is displayed and her right hand is holding the adult male's penis. In the background of the image, a brown, wood plank floor is visible.

- b. NCMEC CTR 58382224 with Incident Date/Time 10-30-2019 16:10:00 UTC. ESP Tumblr, Inc. reported and provided a copy of the electronic messaging conversation related to NCMEC CTR 58376706 during which the image with file name ending in n_1280.jpg was sent. Messages sent by username [REDACTED] claim sexual contact with two (2) prepubescent minors and expressed intent to have sexual intercourse with a third prepubescent minor. Messages sent by username [REDACTED] also include [REDACTED] before the image with file name ending in n_1280.jpg is sent and the message [REDACTED] [REDACTED] [REDACTED] after sending said image.

16. SA Adams has observed that in NCMEC CTR numbers 43339595 and 43339596, that Facebook reported that on November 18, 2018, when usernames "Jackson.martin.507679" and "mandynichelle" uploaded an image depicting a prepubescent minor engaged in sexually explicit conduct, both usernames were logged in from Internet Protocol (IP) Address 207.255.229.244.

17. SA Adams has observed that in NCMEC CTR number 58376706, that Tumblr, Inc. reported that the username [REDACTED] had been logged in on multiple days between August and October of 2018 from Internet Protocol Address 207.255.229.244.

18. On February 28, 2020, SA Adams received a copy of a subpoena and subpoena response from the Clearfield PD. This subpoena was issued by PSP on September 27, 2019, to the internet service provider, Atlantic Broadband, Inc., requesting subscriber information for IP address 207.255.229.244 between the dates of October 27, 2018 and November 18, 2018. The response, dated September 30, 2019, identified the subscriber as "Earl Downs" with a service and billing address of 506 Zimmerman Avenue, Apt. 7, Clearfield, PA 16830.

19. On February 28, 2020, SA Adams received a copy of a written, signed statement by Earl Downs from the Clearfield PD. Earl Downs stated that in September of 2018, he moved to Loysville, Pennsylvania and that JACKSON (CURTIS) MARTIN, (III) and AMANDA (NICHELLE) DOWNS agreed to pay for the internet service at 506 Zimmerman Avenue, Apartment 7 in Clearfield.

20. On February 28, 2020, SA Adams obtained a certified copy of the marriage record and certificate for JACKSON CURTIS MARTIN, III and AMANDA NICHELLE DOWNS, a/k/a Amanda Martin, from the Clearfield County courthouse. This record documented that on May 24, 2019, a marriage license was issued to "JACKSON MARTIN" of Clearfield, PA with date of birth

[REDACTED] and "AMANDA DOWNS" of Clearfield, PA with date of birth [REDACTED] and that they were married on July 11, 2019 in Clearfield County, Pennsylvania. The marriage record documented that the father of "AMANDA DOWNS" is Earl Downs.

21. Record checks with the Pennsylvania Department of Transportation and U.S. Department of Homeland Security databases have identified the following biographical information of JACKSON CURTIS MARTIN, III and AMANDA NICHELLE DOWNS, a/k/a Amanda Martin:

- a. AMANDA NICHELLE DOWNS, a/k/a Amanda Martin was issued Pennsylvania operator's license number (PA OLN) [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

- b. JACKSON CURTIS MARTIN, III was issued Pennsylvania operator's license number (PA OLN) [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

22. On February 28, 2020, SA Adams received evidence from Clearfield PD that was obtained during the course of their investigation of JACKSON CURTIS MARTIN, III and AMANDA NICHELLE DOWNS, a/k/a Amanda Martin. This evidence is described as follows:

- a. LG Cell Phone w/black case S/N: 807VTPA0612664
- b. Samsung Tablet, S/N: R52K8093D5V
- c. Samsung Cell, S/N: R28K502M0LL
- d. Samsung Cell, S/N: R31D52CTTVE
- e. Samsung Tablet, S/N: R52K7036P2Z
- f. Samsung Cell, S/N: 990005774598255 (IMEI)
- g. LG Cell, S/N: 812VTVR0708727
- h. Samsung Cell w/case, S/N: R28M11P6TXH
- i. LG Cell, S/N: 711CQGW0054911
- j. ZTE Cell, S/N: 325776190DE5
- k. Samsung Cell, S/N: R28M11PA7QL
- l. Samsung Cell, S/N: 990006010855319
- m. HTC Cell, S/N: FA621SX00559
- n. ZTE Cell, S/N: 329F661319FA
- o. Nextbook Tablet, S/N: YFGV0518016589
- p. HP Laptop Computer, S/N: CND8480NT0
- q. Gateway Laptop Computer w/power cord, S/N: NXY1UAA03030305B753400
(from black computer bag)
- r. PlayStation 4, S/N: MD915059339
- s. Underwear, Pink in Color (from black computer bag)

t. Black Computer Bag with Miscellaneous Items

23. On February 28, 2020, Clearfield PD also provided SA Adams with a copy of forensic examination results of approximately seven (7) electronic devices that are listed in paragraph 22. SA Adams has reviewed these results and observed that three (3) mobile telephones contain multiple images and at least one (1) video that depict a prepubescent minor female engaged in sexually explicit conduct. Based on information received from Clearfield PD and the contents of the images and video, the minor female [REDACTED] [REDACTED] [REDACTED] [REDACTED]. These mobile telephones, images, and video are described as follows:

- a. Samsung Cell Phone (Serial Number R28K502M0LL), model SM-G930VL, seized from JACKSON CURTIS MARTIN, III on January 8, 2019 and subject of a state search warrant. This device contains approximately 150 images depicting a minor female nude and engaged in sexually explicit conduct with an adult male. These images appear to depict the same minor female based on facial and body appearance. One image with file name aXR1AQ5Q.jpg depicts this minor female with face viewable and positioned near the leg and groin area of an adult male. The minor female's right hand is masturbating the adult male's penis. A tattoo is viewable on the adult male's lower leg. [REDACTED]
- [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
- [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
- [REDACTED]
- b. LG Cell Phone (Serial Number 807VTPA0612664), model LGL158VL, seized from AMANDA NICHELLE DOWNS, a/k/a Amanda Martin on January 9,

2019 and subject of written consent to search. This device contains a video with file name video000000(duplicate_filename_5).mp4, approximately one (1) minute in length, that depicts an adult male, with penis and hands viewable, masturbating over top of a prepubescent minor female lying on her back, wearing a gray shirt with pink text. The adult male masturbates with his right hand, palm up then masturbates with his left hand, palm down. The adult male touches the minor female's vagina with his left hand then begins to have sexual intercourse with the minor female. At the moment the adult male inserts his penis into the minor female's vagina, the minor female attempts to push his hand and penis back then the video ends. The minor female's fingernails are painted with red nail polish.

- c. LG Cell Phone (Serial Number 812VTVR0708727), model LML212VL, seized from JACKSON CURTIS MARTIN, III on November 24, 2019 and subject of a state search warrant. This device contains a video with file name video000000.mp4, approximately one (1) minute in length. The content of this video matches the video with file name video000000(duplicate_filename_5).mp4, described above as discovered on AMANDA NICHELLE DOWNS', a/k/a Amanda Martin's LG cell phone described in paragraph 23.b.

24. On February 28, 2020, Clearfield PD provided SA Adams with a copy of the audio and video-recorded interview of AMANDA NICHELLE DOWNS, a/k/a Amanda Martin that occurred on November 24, 2019, following her arrest by Clearfield PD. Officer Daniel Podliski conducted the interview. During the interview, DOWNS was provided constitutional warnings in

writing and she asked for an attorney. DOWNS then asked to read case documentation from Officer Podliski and he agreed. DOWNS stated, "We'll talk" and Officer Podliski provided her with the constitutional warnings form and she signed the form, agreeing to speak with Officer Podliski. During the interview, DOWNS was provided with a written description of the video referred to in paragraph 23, subparagraphs b and c. DOWNS denied viewing the video but admitted that she recorded the video and that "he" (JACKSON CURTIS MARTIN, III) sent it from her phone to his phone. DOWNS indicated that the video was recorded prior to December 5 (2018). DOWNS indicated that she was afraid that "he" (JACKSON CURTIS MARTIN, III) would hurt her. DOWNS also indicated that she wonders why "he" (JACKSON CURTIS MARTIN, III) [REDACTED] and other people but not her.

25. SA Adams has also ascertained that the forensic examination of Samsung Cell Phone, (Serial Number R28K502M0LL), model SM-G930VL, referred to in paragraph 23.a., contains a SMS messaging conversation between the user of the mobile telephone (JACKSON CURTIS MARTIN, III) and "Amanda Downs". SA Adams reviewed this SMS messaging conversation and a relevant sampling is described as follows:

a. Message date/time of 11/24/2018, 3:35:02 PM. Sent to Amanda Downs:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

b. Message date/time of 11/24/2018, 3:35:31 PM. Received from Amanda Downs:

we will see

c. Message date/time of 11/24/2018, 4:42:31 PM. Sent to Amanda Downs:

That's a yes or no question [REDACTED] [REDACTED] [REDACTED] [REDACTED]

d. Message date/time of 11/24/2018, 4:42:48 PM. Received from Amanda Downs:

Sure

26. On March 18, 2020, the Clearfield PD provided SA Adams with images taken of JACKSON CURTIS MARTIN, III'S tattoos pursuant to his state arrest on November 24, 2019. Upon review of these images, SA Adams observed that MARTIN has a tattoo on his lower leg that matches the tattoo observed in the image referred to in paragraph 23.a.

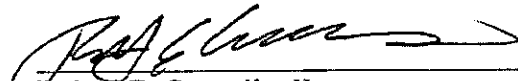
27. On March 18, 2020, SA Adams conducted a review of the investigation, images, and video described herein with your affiant.

CONCLUSION

28. Based on the foregoing, your Affiant respectfully submits that there is probable cause to find that JACKSON CURTIS MARTIN, III and AMANDA NICHELLE DOWNS, a/k/a Amanda Martin, committed the TARGET OFFENSES; that is, violations of federal law including, Production and Attempted Production of a Visual Depiction of a Minor Engaged in Sexually Explicit Conduct, in violation of 18 U.S.C. §§ 2251(a) and (e) and Distribution of a Visual Depiction of a Minor Engaged in Sexually Explicit Conduct, in violation of 18 U.S.C. § 2252(a)(2).

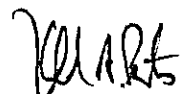
29. The above information is true and correct to the best of my knowledge, information and belief.

Respectfully submitted,



Robert E. Connelly, II
Special Agent
Homeland Security Investigations

Subscribed and sworn to before me
On March 19, 2020:



KEITH A. PESTO
UNITED STATES MAGISTRATE JUDGE